

AMENDED IN SENATE AUGUST 18, 2003

AMENDED IN SENATE JULY 1, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

AMENDED IN ASSEMBLY APRIL 8, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1476

Introduced by Assembly Member Chavez

February 21, 2003

An act to amend Section 5019.65 of the Public Resources Code, relating to public resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1476, as amended, Chavez. State park system: state reserves.

Under existing law, state reserves consist of areas embracing outstanding natural or scenic characteristics of statewide significance.

This bill would also designate, as state reserves, areas containing outstanding cultural resources of statewide significance. The bill would describe these areas as places that contain historic or prehistoric structures, villages, or settlements, archaeological features, ruins, artifacts, inscriptions made by humans, burial grounds, landscapes, hunting or gathering sites, or similar evidence of past human lives or cultures. The bill would require, within state cultural reserves, the highest level of resource protection be sought, and that management actions be consistent with the preservation of cultural resources and federal and state laws.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares that a new*
2 *state park unit classification option of cultural reserve, which is to*
3 *be used for public land in the state park system as determined by*
4 *the State Park and Recreation Commission, is necessary to more*
5 *accurately and respectfully classify state park units containing*
6 *cultural resources, as described in Section 5019.65 of the Public*
7 *Resources Code, as amended by this act.*

8 SEC. 2. Section 5019.65 of the Public Resources Code is
9 amended to read:

10 5019.65. State reserves consist of areas embracing
11 outstanding natural or scenic characteristics or areas containing
12 outstanding cultural resources of statewide significance. State
13 reserve units may be established in the terrestrial or nonmarine
14 aquatic (lake or stream) environments of the state and shall be
15 further classified as one of the following types:

16 (a) State natural reserves, consisting of areas selected and
17 managed for the purpose of preserving their native ecological
18 associations, unique faunal or floral characteristics, geological
19 features, and scenic qualities in a condition of undisturbed
20 integrity. Resource manipulation shall be restricted to the
21 minimum required to negate the deleterious influence of man.

22 Improvements undertaken shall be for the purpose of making
23 the areas available, on a day use basis, for public enjoyment and
24 education in a manner consistent with the preservation of their
25 natural features. Living and nonliving resources contained within
26 state natural reserves shall not be disturbed or removed for other
27 than scientific or management purposes.

28 (b) State cultural reserves, consisting of areas selected and
29 managed for the purpose of preserving and protecting the integrity
30 of places that contain historic or prehistoric structures, villages, or
31 settlements, archaeological features, ruins, artifacts, inscriptions
32 made by humans, burial grounds, landscapes, hunting or gathering
33 sites, or similar evidence of past human lives or cultures. These
34 areas may also be places of spiritual significance to California
35 Native Americans. Within state cultural reserves, the highest level

1 of resource protection shall be sought. Improvements may be
2 undertaken for the purpose of providing public access, enjoyment,
3 and education, and for cultural resource protection. Improvements
4 made for the purpose of cultural resource protection shall take into
5 account the possible need for access to the site for ceremonial or
6 spiritual purposes. Living and nonliving resources contained
7 within state cultural reserves may be used for ceremonial or
8 spiritual purposes, consistent with other laws, and if the use is not
9 harmful to threatened or endangered species or to the cultural
10 resources intended for protection by this designation.
11 Management actions shall be consistent with the preservation of
12 cultural resources and with federal and state laws.

